

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD BOWIE,
Plaintiff

v.

SPECIALTY ELASTOMERS
HOLDINGS, INC.
Defendant

Case No.
03-CV-12279-RWZ

FILED
CLERK

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U.S. DISTRICT COURT
DISTRICT OF MASS

JOINT SCHEDULING STATEMENT

Pursuant to Local Rule 16.1(D), the parties submit this joint scheduling statement.

NATURE OF THE ACTION

Breach of Contract. The plaintiff, Richard Bowie, alleges that the defendant, Specialty Elastomers Holdings, Inc., has breached an employment contract between the parties. The defendant denies that it has breached an employment contract with the plaintiff.

JOINT DISCOVERY PLAN

Automatic Disclosures

The parties shall provide their initial disclosures, pursuant to Fed.R.Civ.P. 26(a), by February 15, 2004.

Written Discovery

All written discovery (excluding requests for admissions) shall be served by April 1, 2004.

Deposition of Fact Witnesses

All fact depositions will be completed by September 30, 2004.

Expert Witnesses

Plaintiff's expert witnesses shall be identified by October 30, 2004.

Plaintiff's expert reports will be provided by November 15, 2004.

Defendant's expert witnesses shall be identified by November 30, 2004.

Defendant's expert reports will be provided by December 15, 2004.

Depositions of all expert witnesses will be completed by February 1, 2005.

PROPOSED MOTION SCHEDULE

All dispositive motions will be served by March 1, 2005 but may be filed at anytime previous thereto.

All discovery motions, to the extent necessary, shall be filed prior to the close of discovery.

Trial motions will be served not less than seven days prior to trial, except for good cause.

SETTLEMENT PROPOSALS

The plaintiff has presented the defendant with a written settlement proposal. Defense counsel has conferred with their client on the subject of settlement. Counsel for the defendant are prepared to respond to proposals at the settlement conference.

LR 16.1(D)(3) CERTIFICATION

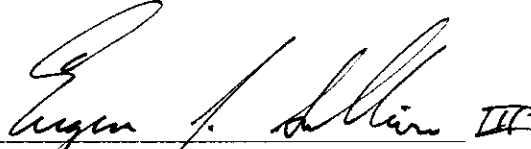
The parties hereby certify that each party and that party's counsel have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of the litigation; and,
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

CONSENT TO TRIAL BY MAGISTRATE JUDGE

The parties will consider consent to trial by a magistrate judge should a trial become necessary.

Respectfully submitted,
For the defendant,
Specialty Elastomers Holdings,
Inc.,
By its attorneys,



Norman Holtz, BBO# 238880
Eugene J. Sullivan III,
BBO # 656497
GILMAN/ HOLTZ, P.C.
25 New Chardon Street
Boston, MA 02114
(617) 720-2663

[of counsel]

Jessica Lee
Jerry Meade
GIBSON, DUNN & CRUTCHER LLP
1801 California Street, Suite 4100
Denver, CO 80202
(303) 298-5700

Dated: 15 Jun 04

LR 16.1(D)(3) Certification For Specialty Elastomers
Holdings, Inc.

Signature:

R.B. Hendrickson Jr

Name (printed or typed):

R.B. Hendrickson Jr

Title:

C.E.O.

Dated:

1-15-04

For the plaintiff,
Richard Bowie,
By his attorney,

Charles Murray by *E. J. S.*

Charles A. Murray III, Esq.

BBO# *364240*

Law Offices of Charles Murray P.C.

700 Pleasant Street

New Bedford, MA 02740

Dated: *15 Jun 04*



GILMAN/HOLTZ P.C.

LAWYERS

25 NEW CHARDON STREET
BOSTON, MASSACHUSETTS 02114

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U.S. DISTRICT COURT
DISTRICT OF MASS

MICHAEL C. GILMAN
NORMAN HOLTZ
EUGENE J. SULLIVAN III
ROBERT J. VAN CAMPEN

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January 15, 2004

Office of the Clerk (Civil)
United States District Court
District of Massachusetts
1 Courthouse Way
Suite 2300
Boston, MA 02210

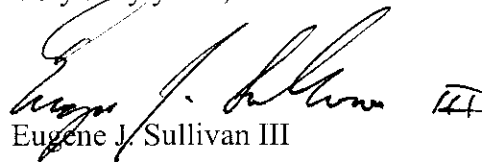
Re: Bowie v. Specialty Elastomers Holdings, Inc
Civil Action No. 03-CV-12279-RWZ

Dear Sir or Madam:

Please find enclosed for filing the parties' *Joint Scheduling Statement*.

Thank you for your attention to this matter.

Very truly yours,



Eugene J. Sullivan III

cc: Charles Murray, Esq.

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